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SUBJECT: MISSION KAMPALA'S COMMENT ON DRAFT LIST OF PRODUCTS MADE WITH FORCED LABOR AND CHILD LABOR

REF: A. STATE 1730 B.BUENOS AIRES 48 C. 08 STATE 43120 D. 08 KAMPALA 750

¶1. (SBU) Post appreciates the opportunity to comment on the Department of Labor's (DOL) draft list of commodities it "has reason to believe are produced by forced or child labor" (ref A). We share Embassy Buenos Aires' concerns about methodology of putting countries on the list without corroborated evidence, and lack of a standard definition of a "significant incidence" of child labor in the making of a product (ref B). We are particularly interested in clarification of the amount of child labor that is "in violation of international standards."

¶2. (SBU) Our Uganda-specific concerns include: the listing of products that are not exported and the inclusion of products that post and the International Organization for Labor's International Program to Eliminate Child Labor (ILO/IPEC) found negligible evidence of child labor in the production chain of exported products as outlined in ref C. Emboffs visited commercial production facilities to examine first-hand the chain of production, labor regulations, and employee profiles in order to prepare a response to DOL's initial request for input. Post's response noted that the fishing and tobacco industries required more oversight because production is less regulated and utilize the services of more out-growers, who in turn employ children (ref D).

¶3. (SBU) Post notes that DOL's draft list includes bricks, cattle, charcoal, rice, and sugarcane. None of these products are exported from Uganda and do not fit the criteria outlined in ref C.

¶4. (SBU) ILO/IPEC Country Director Akky De Kort, who is responsible for implementing ILO 182 and other international protocols to protect children, reports that the incidence of child labor in commercial tea, coffee, and vanilla production is negligible. De Kort is responsible for determining the levels of child labor in these industries. She points to union regulation, monitoring, and readily-available and inexpensive pool of adult Ugandans as providing disincentives for the use of child labor. She emphasized that there is no financial gain for employers to use children in these sectors.

¶5. (SBU) Post visited various estates and plantations to better understand the chain of production. In each of these industries, commercial farms are monitored by labor inspectors and union representatives. The inspectors report that these farms do not employ children. A typical Ugandan commercial tea plantation employs over 9,000 adults and provides education, housing, and health services for each adult and five dependents. Emboffs did not observe any child labor during site visits. Industry experts report that any reports of child labor come from out-grower farms, where families use their children to assist in harvests. These farms may contribute some product to the production chain, but a small percentage. They remain outside the formal sector.

¶6. (SBU) The Uganda Tea Association reported that over the past year, it has developed a code of conduct to prevent child labor in the tea industry. This code of conduct is aimed at family out-grower operations. The Federation of Uganda Employers (FUE) and the labor unions have developed policy guidelines to eliminate child labor. In Lira District, local by-laws have been developed to keep children out of hazardous work.

¶7. (SBU) Comment: Post is concerned that reported incidents of child labor are so low in Uganda's export sectors for tea, coffee, and vanilla, that it would be inaccurate and unfair to label these products as produced by child labor. Tea and coffee are Uganda's largest foreign exchange earners, generating over $300 million in annual revenue. The USG will find it difficult to defend placing these industries on an international blacklist without any evidence that these products are produced primarily by child labor. We encourage DOL analysts to visit Uganda to get a better picture of child labor before tarnishing the marketability of Ugandan products and depriving the country of its primary sources of revenue without significant, corroborated evidence.
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